

Printed name and title

STATEMENT OF FACTS

Your affiant, [REDACTED], is a Task Force Officer assigned to FBI Long Island Resident Agency. In my duties as a Task Force Officer, I have investigated allegations associated with domestic terrorism and international terrorism. I have completed training and gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, and various other criminal laws and procedures. Currently, I am tasked with investigating criminal activity in and around the Capitol grounds on January 6, 2021. As a Task Force Officer, I am authorized by law or by a Government agency to engage in or supervise the prevention, detection, investigation, or prosecution of a violation of Federal criminal laws.

The U.S. Capitol is secured 24 hours a day by U.S. Capitol Police. Restrictions around the U.S. Capitol include permanent and temporary security barriers and posts manned by U.S. Capitol Police. Only authorized people with appropriate identification were allowed access inside the U.S. Capitol. On January 6, 2021, the exterior plaza of the U.S. Capitol was also closed to members of the public.

On January 6, 2021, a joint session of the United States Congress convened at the United States Capitol, which is located at First Street, SE, in Washington, D.C. During the joint session, elected members of the United States House of Representatives and the United States Senate were meeting in separate chambers of the United States Capitol to certify the vote count of the Electoral College of the 2020 Presidential Election, which had taken place on November 3, 2020. The joint session began at approximately 1:00 p.m. Shortly thereafter, by approximately 1:30 p.m., the House and Senate adjourned to separate chambers to resolve a particular objection. Vice President Mike Pence was present and presiding, first in the joint session, and then in the Senate chamber.

As the proceedings continued in both the House and the Senate, and with Vice President Mike Pence present and presiding over the Senate, a large crowd gathered outside the U.S. Capitol. As noted above, temporary and permanent barricades were in place around the exterior of the U.S. Capitol building, and U.S. Capitol Police were present and attempting to keep the crowd away from the Capitol building and the proceedings underway inside.

At such time, the certification proceedings were still underway and the exterior doors and windows of the U.S. Capitol were locked or otherwise secured. Members of the U.S. Capitol Police attempted to maintain order and keep the crowd from entering the Capitol; however, around 2:00 p.m., individuals in the crowd forced entry into the U.S. Capitol, including by breaking windows and by assaulting members of the U.S. Capitol Police, as others in the crowd encouraged and assisted those acts.

Shortly thereafter, at approximately 2:20 p.m. members of the United States House of Representatives and United States Senate, including the President of the Senate, Vice President Mike Pence, were instructed to—and did—evacuate the chambers. Accordingly, the joint session of the United States Congress was effectively suspended until shortly after 8:00 p.m. Vice President Pence remained in the United States Capitol from the time he was evacuated from the Senate Chamber until the sessions resumed.

During national news coverage of the aforementioned events, video footage which appeared to be captured on mobile devices of persons present on the scene depicted evidence of violations of local and federal law, including scores of individuals inside the U.S. Capitol building without authority to be there.

On October 18, 2021, a tipster called the FBI National Threat Operations Center (NTOC) to report Carol Moore (C. Moore) and Kevin Moore (K. Moore) for entering the U.S. Capitol Building on January 6, 2021. The tipster indicated that on October 18, 2021, C. Moore and K. Moore shared two images via text message: one image of C. Moore and K. Moore inside of the U.S. Capitol Building with what the tipster described as SWAT members and another image of C. Moore and K. Moore waving a Trump flag over the U.S. Capitol stairs, both on what appeared to be on January 6, 2021. On May 10, 2022, law enforcement attempted to contact the tipster, regarding the images that they possessed of C. Moore and K. Moore at the U.S. Capitol. The tipster declined to provide the images or further information out of a desire to maintain their anonymity.

Based on my review of driver's license photographs of C. Moore and K. Moore, I have identified open-source media from a December 12, 2020 rally in Washington, D.C. – the “Million MAGA March” – in which C. Moore and K. Moore are depicted. In that media, C. Moore has an American Flag draped around her shoulders and is carrying a “Re-Elect Trump” flag (Figure 1).



Figure 1

I have also identified C. Moore and K. Moore in open-source video footage from the January 5, 2021 Rally for Revival in Washington, D.C. That day, C. Moore posted a photograph of C. Moore and K. Moore attending the rally at Freedom Plaza on her now-suspended Twitter account (Figure 2).



Figure 2

On January 10, 2021, C. Moore posted a video on her Facebook titled “Pre game Rally! January 5th.” The video depicts a rally in Washington D.C. and was taken by K. Moore with C. Moore, who can be partially seen at the start of the video (Figure 3).

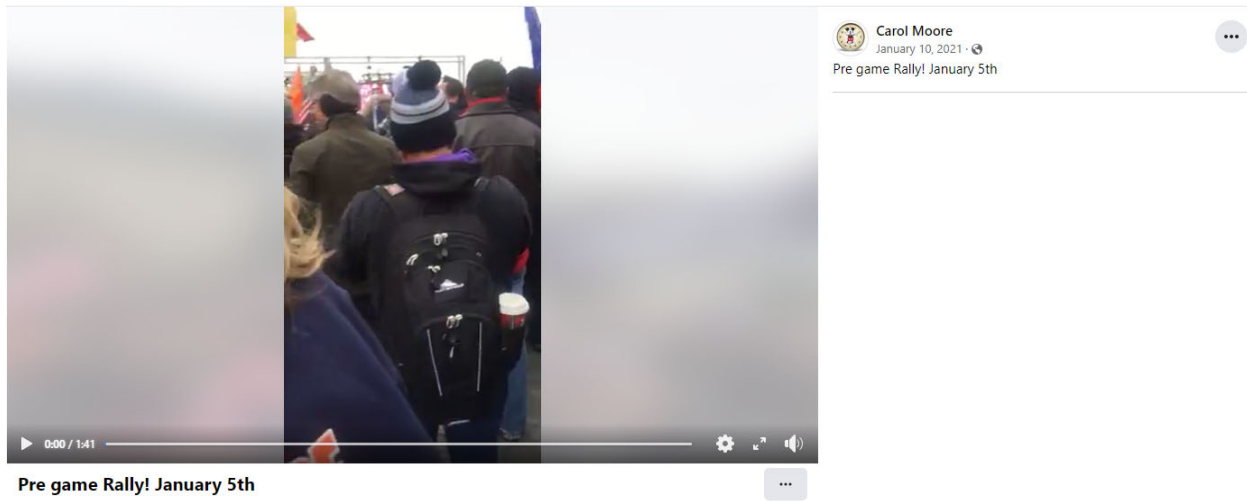


Figure 3

I have also reviewed video footage from January 5, 2021 in which C. Moore and K. Moore are walking through Freedom Plaza in Washington, D.C. during a speech calling on then-Vice President Pence not to certify election results. K. Moore wore a brown jacket, dark blue hoodie, dark pants, and grey cap with “2A” on the front and a flag on the left side. C. Moore wore a dark blue sweatshirt with the words “Landscape Impression” printed on it and dark glasses (Figure 4).

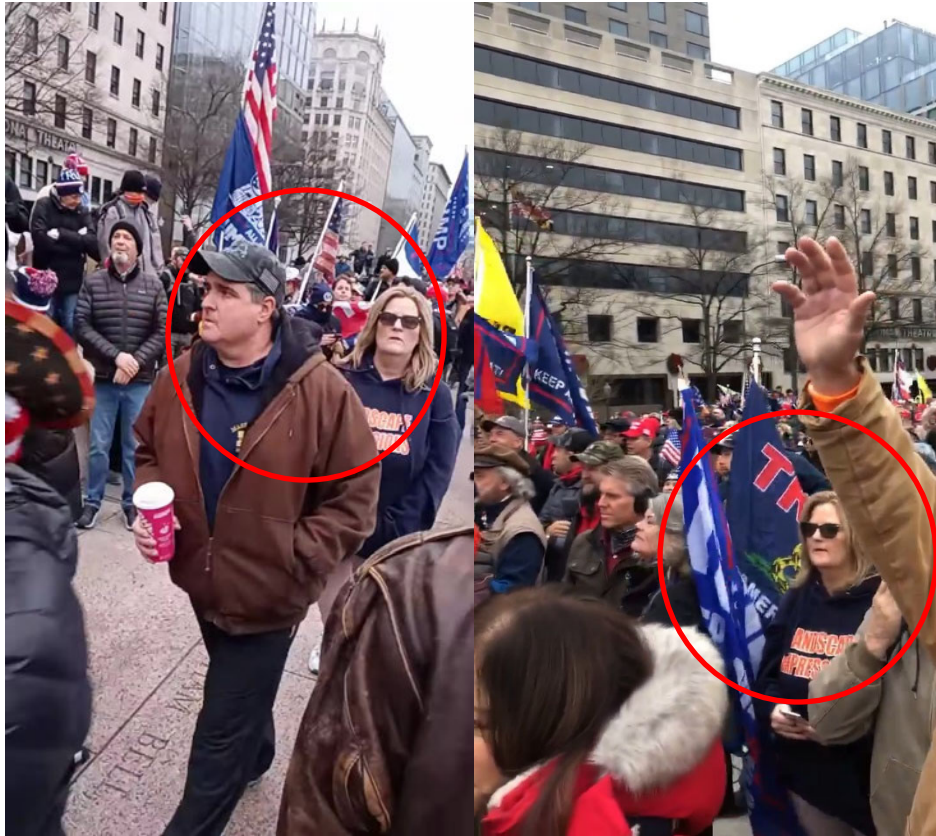


Figure 4

Open-source investigation revealed that “Landscape Expressions” is the name of a company owned by a close relative of C. Moore and K. Moore.

On the morning of January 6, 2021, C. Moore and K. Moore attended then-President Donald Trump’s speech at the Ellipse. C. Moore wore a tan jacket with white fur trim, red cap, blue Trump flag, and black leggings and had a blue Trump flag tied around her neck. K. Moore wore a white cap, brown hooded jacket, blue jeans, and carried a re-elect Trump flag that appears to match the flag that C. Moore carried on December 12, 2020, *see* Figure 1 (Figure 5).



Figure 5

After the speech, C. Moore and K. Moore walked to the U.S. Capitol, at times stopping to take photos (Figure 6).



Figure 6

C. Moore and K. Moore then walked across the Northwest Lawn of the U.S. Capitol towards the Senate Wing Door (Figure 7).



Figure 7

As can be seen on U.S. Capitol security camera, at approximately 3:12 p.m. ET, C. Moore and K. Moore entered the U.S. Capitol building through the Senate Wing Door (Figure 8).

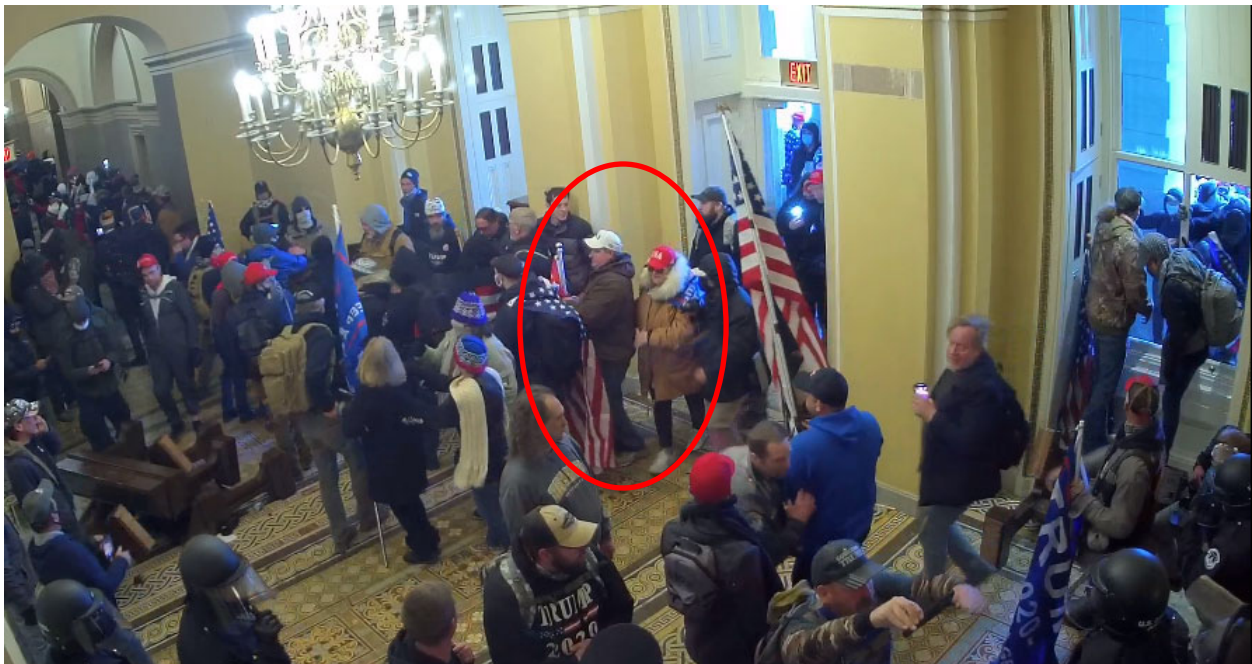


Figure 8

At approximately 3:13 p.m. ET, C. Moore and K. Moore passed a cell phone between themselves and took photographs of other rioters and themselves with U.S. Capitol Police in the background dressed in riot-gear (Figure 9).



Figure 9

As can be seen on video taken by another rioter, at approximately 3:14 p.m. ET, C. Moore and K. Moore remain in their position before briefly walking away from the Senate Wing door (Figure 10). Alarms can be heard blaring in the video.



Figure 10

At approximately 3:19 p.m. ET, C. Moore and K. Moore walked back towards the Senate Wing door (Figure 11).



Figure 11

At approximately 3:19 p.m. ET, K. Moore aggressively yelled and gestured at a law enforcement officer, while walking back towards the Senate Wing door and exiting the U.S. Capitol building with C. Moore at approximately 3:20 p.m. ET (Figures 12 & 13).

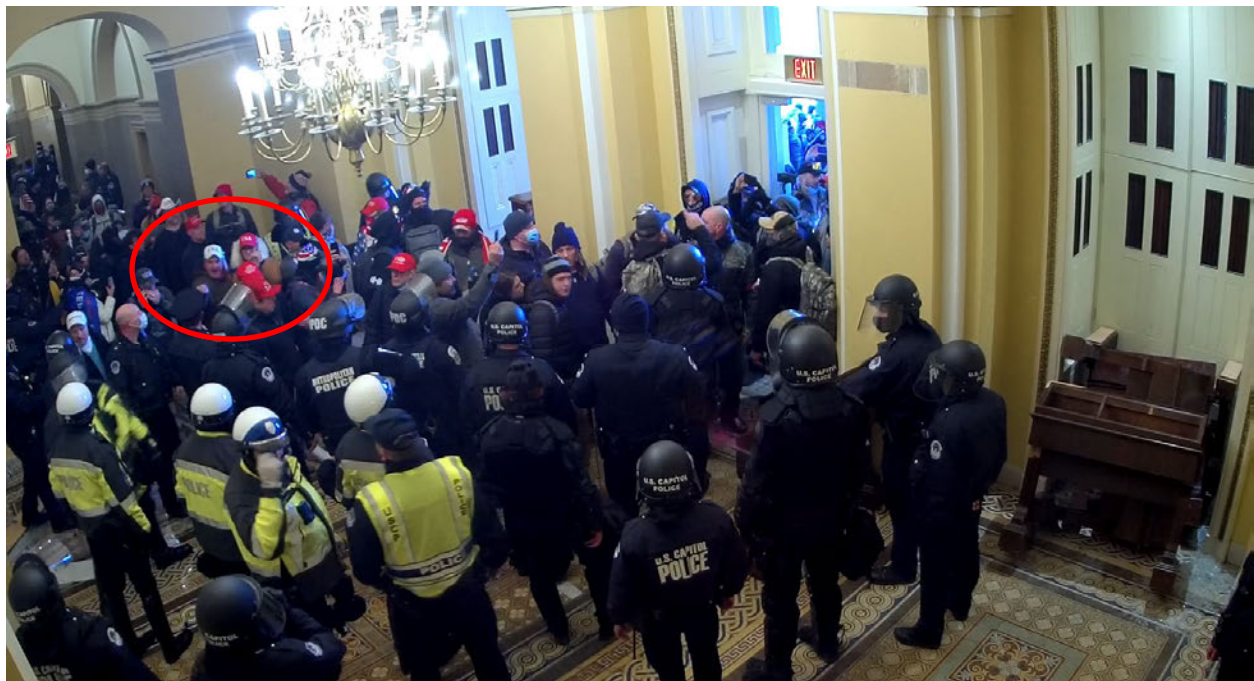


Figure 12



Figure 13

On January 21, 2023, I interviewed a person who has had regular interactions with C. Moore and K. Moore. They positively identified C. Moore and K. Moore based on photographs of C. Moore and K. Moore on January 6, 2021, to include Figures 5, 6, 7, and 10. They indicated that he/she spoke with K. Moore prior to January 6, 2021, and K. Moore told him/her that “something big is coming.”

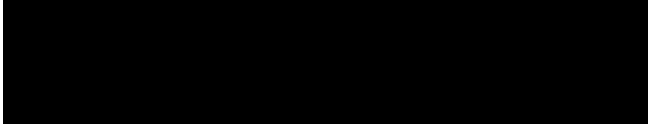
Based on my review of records from the Metropolitan Transportation Authority (MTA), I have learned that, on January 6, 2021, K. Moore was employed by the MTA and that K. Moore was absent from work from January 1–7, 2021.

I have also reviewed records from PayPal/Venmo relating to C. Moore’s account. A Venmo transaction was processed from C. Moore on January 6, 2021. The IP address associated with the transaction was 4.79.195.205, determined to be Washington, D.C.

Based on the foregoing, your affiant submits that there is probable cause to believe that C. Moore and K. Moore violated 18 U.S.C. § 1752(a)(1) and (2), which makes it a crime to (1) knowingly enter or remain in any restricted building or grounds without lawful authority to do; and (2) knowingly, and with intent to impede or disrupt the orderly conduct of Government business or official functions, engage in disorderly or disruptive conduct in, or within such proximity to, any restricted building or grounds when, or so that, such conduct, in fact, impedes or disrupts the orderly conduct of Government business or official functions; or attempts or conspires to do so. For purposes of Section 1752 of Title 18, a “restricted building” includes a posted, cordoned off, or otherwise restricted area of a building or grounds where the President or other person protected by the Secret Service, including the Vice President, is or will be temporarily visiting; or any building or grounds so restricted in conjunction with an event designated as a special event of national significance.

Your affiant submits there is also probable cause to believe that C. Moore and K. Moore violated 40 U.S.C. §§ 5104(e)(2)(D) and (G), which makes it a crime to willfully and knowingly (D) utter loud, threatening, or abusive language, or engage in disorderly or disruptive conduct, at

any place in the Grounds or in any of the Capitol Buildings with the intent to impede, disrupt, or disturb the orderly conduct of a session of Congress or either House of Congress, or the orderly conduct in that building of a hearing before, or any deliberations of, a committee of Congress or either House of Congress; and (G) parade, demonstrate, or picket in any of the Capitol Buildings.



Federal Bureau of Investigation

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone, this 13th day of May 2024.

MOXILA A. UPADHYAYA
U.S. MAGISTRATE JUDGE